



Robert Greene Sterne
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbalà
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
Steven R. Ludwig
John M. Covert
Robert C. Millonig
Donald J. Featherstone
Timothy J. Shea, Jr.
Michael V. Messinger
Judith U. Kim
Patrick E. Garrett
Jeffrey T. Helvey

Eldora L. Ellison
Thomas C. Fiala
Donald R. Banowitz
Peter A. Jackman
Jeffrey S. Weaver
Brian J. Del Buono
Mark Fox Evens
Edward W. Yee
Vincent L. Capuano
Virgil Lee Beaton
Theodore A. Wood
Elizabeth J. Haanes
Joseph S. Ostroff
Frank R. Cottingham
Daniel A. Klein
Jason D. Eisenberg
Michael D. Specht
Tracy L. Muller
Jon E. Wright

LuAnne M. DeSantis
Ann E. Summerfield
Helene C. Carlson
Cynthia M. Bouchez
Timothy A. Doyle
Gaby L. Longworth
Lori A. Gordon
Laura A. Vogel
Bryan S. Wade
Bashir M.S. Ali
Shannon A. Carroll
Anbar F. Khal
Michelle K. Holoubek
Marsha A. Rose
Young Tang
Christopher J. Walsh
W. Blake Coblenz*
James J. Pohl*
John T. Haran

Mark W. Rygiel
Kevin W. McCabe
Michael R. Malek*
Doyle A. Siever*
Ulrike Winkler*

Registered Patent Agents*
Karen R. Markowicz
Matthew J. Dowd
Katrina Yujian Pei Quach
Bryan L. Skelton
Robert A. Schwartzman
Victoria S. Rutherford
Simon J. Elliott
Julie A. Heider
Mita Mukherjee
Scott M. Woodhouse

Liliana Di Nola-Baron
Peter A. Socarras
Jeffrey K. Mills
Danielle L. Letting
Lori Brandes
Steven C. Oppenheimer

Of Counsel
Edward J. Kessler
Kenneth C. Bass III
Marvin C. Guthrie

* Admitted only in Maryland
* Admitted only in Virginia
* Practice Limited to
Federal Agencies

October 11, 2006

WRITER'S DIRECT NUMBER:
(202) 772-8861
INTERNET ADDRESS:
CBOUCHEZ@SKGF.COM

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit To Be Assigned

Attn: Mail Stop Amendment

Re: U.S. Utility Patent Application
(U.S. Nat'l Phase of PCT/EP2004/008040)
Application No. 10/565,883; Filed: January 25, 2006
For: **Fungicide Ternary Active Ingredient Combinations**
Inventors: Dahmen *et al.*
Our Ref: 2400.0180000/CMB

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement Under 37 C.F.R. § 1.97(b);
2. Form PTO/SB/08A listing three (3) cited documents;
3. Copies of two (2) of the three (3) cited documents (FP1 and FP2);
4. Form PTO/SB/08B listing four (4) cited documents;
5. Copies of the four (4) cited documents (NPL1-NPL4); and
6. One (1) return postcard.

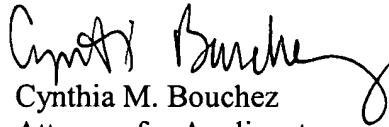
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
October 11, 2006
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


Cynthia M. Bouchez
Attorney for Applicants
Registration No. 47,438

CMB:krh
Enclosures

584317_1.DOC



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Dahmen *et al.*

Appl. No.: 10/565,883 (Nat'l Phase of
PCT/EP2004/008040)

Int'l Filing Date: July 19, 2004

For: **Fungicide Ternary Active
Ingredient Combinations**

Confirmation No.: 8057

Art Unit: *To Be Assigned*

Examiner: *To Be Assigned*

Atty. Docket: 2400.0180000/BLS/CMB

Information Disclosure Statement Under 37 C.F.R. § 1.97(b)

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms, PTO/SB/08A and PTO/SB/08B, are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Copies of Documents **FP1** to **FP2** and **NPL1** to **NPL4** are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), a copy of the U.S. patent, Document **US1**, cited on the attached IDS Form, PTO/SB/08A, is not submitted.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following discussion of the relevance of the non-English language documents FP1 and FP2 cited on Form PTO/SB/08A:

Document **FP1**, WO 98/47367, is in a foreign language. An English language abstract of document FP1 is attached as document **NPL2**.

Document **FP2**, WO 00/30440, is in a foreign language. An English language abstract of document FP2 is attached as document **NPL3**.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

This Information Disclosure Statement is being filed before the mailing of a first Office Action on the merits. No statement or fee is required.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

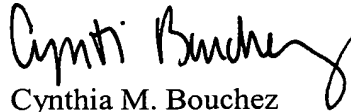
This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



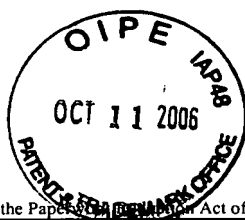
Cynthia M. Bouchez
Agent for Applicants
Registration No. 47,438

Date: Oct. 11, 2006

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

#569846v1

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PTO/SB/08B (07-05)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/565,883 (Nat'l Phase of PCT/EP2004/008040)
				Int'l Filing Date	July 19, 2004
				First Named Inventor	Dahmen, Peter
				Art Unit	To Be Assigned
Examiner Name	To Be Assigned				
Sheet	1	of	1	Attorney Docket Number	2400.0180000/BLS/CMB

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published	T ²
	NPL1	Tomlin, C., ed., "fluoxastrobin (382), <i>Fungicide</i> " in <i>The e-Pesticide Manual (Thirteenth Edition) Version 3.0</i> , British Crop Protection Council, Farnham, GB, 2 pages (November 2003)	
	NPL2	Dialog File 351, Accession No. 9079242, Derwent WPI English language abstract for WO 98/47367	
	NPL3	Dialog File 351, Accession No. 10061328, Derwent WPI English language abstract for WO 00/30440	
	NPL4	International Search Report for International Application No. PCT/EP2004/008040, European Patent Office, Netherlands, mailed on November 29, 2004	

#568256v1

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.